

REMARKS

Claims 1, 3-5, 7, 8, 11, 13-17, 24-29, 31, 32, 35, 37-58 and 72-98 are pending. By this Amendment, claims 1, 3-5, 7, 13-17, 24, 26, 31, 37-39 and 55 are amended, claims 72-97 are added, and claims 2, 6, 9, 10, 12, 18-23, 30, 33, 34, 36 and 59-71 are cancelled without prejudice to or disclaimer of the subject matter recited therein. Non-elected and withdrawn claims 18-23 and 59-71 are cancelled. Applicants reserve the right to file one or more divisional applications to pursue the subject matter of the non-elected claims.

The claims are amended in order to even more clearly distinguish over the applied reference. No new matter is added by the above amendments. For example, the features of claims 2 and 6 have been placed into independent claim 1. Similar amendments have been made to independent claim 24. Claim 55 is amended to improve its readability and consistency. The newly-added claims recite various features previously recited in the original claims.

Applicants note with appreciation the identification of allowable subject matter in claims 16, 40-43 and 46. Please note that newly-added independent claims 90 and 94 recite in method format many of the features recited in objected-to claim 40. Applicants respectfully submit that all pending claims are in condition for allowance, as detailed below.

Claims 1-17 and 24-43 stand rejected under 35 U.S.C. §112, first and second paragraphs. The specific language identified in the Office Action has been eliminated from the claims. Accordingly, the rejections of these claims under 35 U.S.C. §112 are moot, and should be withdrawn.

Claims 1-15, 24-39, 44, 45 and 47-58 stand rejected under 35 U.S.C. §102(b) over U.S. Patent No. 3,869,870 to Kuehner. This rejection is respectfully traversed. All pending claims are patentable over Kuehner, as set forth below.

With respect to independent claims 1, 24, 54, 72 and 80, Kuehner does not disclose or suggest holding members that hold a second component (claims 1, 24, 72 and 80) or a cooling substance (claim 54), combined with the other features of the claims. The ice of Kuehner is not held by any holding members. Rather, the ice is suspended in one or both of water B (melted ice) and a carrier fluid A that is immiscible with water. Accordingly, claims 1, 24, 54, 72 and 80, as well as their dependent claims, are patentable over Kuehner.

With respect to independent claim 44, Kuehner does not disclose or suggest a holding member having at least one of a hollow part, a groove and a pore, and with a cooling substance held in the at least one of the hollow part, groove and pore. Accordingly, independent claim 44 and its dependent claims are patentable over Kuehner.

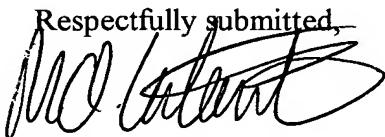
With respect to independent claim 55, Kuehner does not disclose or suggest a holding member having an internal space that is in communication with an outside of the holding member, with a cooling substance located in the internal space. Accordingly, claim 55, as well as the claims which depend from claim 55, are patentable over Kuehner.

With respect to independent claims 90 and 94, as recognized in the Office Action by its identification of allowable subject matter in claim 40, Kuehner does not disclose or suggest a method of cooling a coil of a linear motor device as recited in independent claims 90 and 94. Accordingly, claims 90 and 94, as well as their dependent claims, are patentable over Kuehner.

Withdrawal of the rejection based upon Kuehner is requested.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,


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MAC/ccs

Attachments:

Amendment Transmittal
Petition for Extension of Time

Date: October 15, 2004

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